

## ORDINANCE NO. 2002 - 053

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **HOUSING ELEMENT** (TO ADD A POLICY ESTABLISHING AN ADVISORY GROUP TO EVALUATE THE VIABILITY OF A WORKFORCE HOUSING PROGRAM); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted its public hearings on February 22, March 1, and March 8, 2002 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, Palm Beach County received on July 1, 2002 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated June 28, 2002 which was the Department's written review of the proposed Comprehensive Plan amendments; and

**WHEREAS**, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained

1 in this ordinance;

2 WHEREAS, on August 28, 2002 the Palm Beach County Board of County  
3 Commissioners held a public hearing to review the written comments  
4 submitted by the Department of Community Affairs and to consider  
5 adoption of the amendments; and

6 WHEREAS, the Palm Beach County Board of County Commissioners has  
7 determined that the amendments comply with all requirements of the  
8 Local Government Comprehensive Planning and Land Development  
9 Regulations Act.

10 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
11 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

12 Part I. Amendments to the 1989 Comprehensive Plan

13 Amendments to the text of the following Element of the 1989  
14 Comprehensive Plan are hereby adopted and attached to this Ordinance  
15 in Exhibit 1:

16 A. Housing Element, to revise text regarding affordable  
17 housing units for new residential developments; and

18 B. Amending all elements as necessary for internal  
19 consistency.

20 Part II. Repeal of Laws in Conflict

21 All local laws and ordinances applying to the unincorporated area  
22 of Palm Beach County in conflict with any provision of this ordinance  
23 are hereby repealed to the extent of such conflict.

24 Part III. Severability

25 If any section, paragraph, sentence, clause, phrase, or word of  
26 this Ordinance is for any reason held by the Court to be  
27 unconstitutional, inoperative or void, such holding shall not affect  
28 the remainder of this Ordinance.

29 Part IV. Inclusion in the 1989 Comprehensive Plan

30 The provision of this Ordinance shall become and be made a part  
31 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the  
32 Ordinance may be renumbered or relettered to accomplish such, and the  
33 word "ordinance" may be changed to "section," "article," or any other  
34 appropriate word.

35 Part V. Effective Date

36 The effective date of this plan amendment shall be the date a



1 final order is issued by the Department of Community Affairs or  
2 Administration Commission finding the amendment in compliance in  
3 accordance with Section 163.3184, Florida Statutes, whichever occurs  
4 earlier. No development orders, development permits, or land uses  
5 dependent on this amendment may be issued or commence before it has  
6 become effective. If a final order of noncompliance is issued by the  
7 Administration Commission, this amendment may nevertheless be made  
8 effective by adoption of a resolution affirming its effective status,  
9 a copy of which resolutions shall be sent to the Department of  
10 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak  
11 Boulevard Tallahassee, Florida 32399-2100.

12 APPROVED AND ADOPTED by the Board of County Commissioners of  
13 Palm Beach County, on the 28 day of August, 2002.

14 ATTEST:  
15 DOROTHY H. WILKEN, Clerk

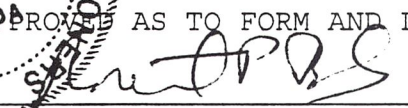
PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

16  Deputy Clerk

17 By

18   
19 Warren H. Newell, Chairman

20 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

21   
22 COUNTY ATTORNEY

23 Filed with the Department of State on the 3 day of  
24 September, 2002

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## EXHIBIT 1

### A. Housing Element: Workforce Housing Program

**REVISIONS:** To revise text regarding affordable housing units for new residential developments. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck-out~~.

#### Objective 1.5 Concentrations of Affordable Housing

1. **NEW Policy 1.5-c:** By December 2003, the County shall consider establishing a workforce housing program to require that new residential developments provide a percentage of housing units for lower income households, as a means to meet affordable housing needs and to disperse that needed housing in the unincorporated County. The Board of County Commissioners shall appoint an advisory group to provide recommendations to the Board regarding the viability of such a program and appropriate program parameters.

The evaluation shall address specific parameters, including but not limited to:

- threshold size of affected development;
- program implementation area;
- unit types;
- household income levels;
- appropriate density increase;
- resale controls;
- physical unit requirements; and,
- mitigation options.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on August 28, 2002  
DATED at West Palm Beach, FL on 10/10/05:  
DOROTHY H. WILKEN, Clerk  
By: Adam Browne D.C.